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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q92162

Toshihito KUMAGAI, et al.

Appln. No.: Based on PCT/JP2004/012398

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: February 28, 2006

Examiner: Unknown

For: 1,3-DIHYDRO-2H-INDOL-2-ONE DERIVATIVE

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office. Additionally, computer generated partial English language translations for JP-A-2003-523351, JP-A-2003-525287, and JP-A-2003-523354, and English language abstracts for WO 01/98295, WO 03/008407 and WO 2004/009585 constitute concise statements of relevance.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: Based on PCT/JP2004/012398

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

*Bruce E. Kram*  
*Susan J. Mack* / *Reg. No. 33,725*  
Susan J. Mack  
Registration No. 30,951

Date: February 28, 2006

Substitute for Form 1449 A & B/PTO  <b><u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u></b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	Based on PCT/IP2004/012398
				Confirmation Number	Unknown/100000000
				Filing Date	February 28, 2006
				First Named Inventor	Toshihito KUMAGAI
				Art Unit	Unknown
				Examiner Name	Unknown
				Attorney Docket Number	Q92162
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 6,596,732	B2	07-22-2003	Claudine Serradeil-Le Gal, et al.
		US 6,624,164	B2	09-23-2003	Bruno Schoentjes, et al.
		US 6,730,695	B2	05-04-2004	Richard Roux, et al.
		US 6,864,277	B2	03-08-2005	Richard Roux, et al.
		US 2004/0080878	A1	04-29-2004	Andrea Brollo
		US 2005/0092335	A1	05-05-2005	William J. Bertrand, et al.
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	01/98295	A1	12-27-2001	SANOFI-SYNTHELABO	Abstract
		JP	2003-523351	A	08-05-2003	SANOFI-SYNTHELABO	Partial
		JP	2003-525287	A	08-26-2003	SANOFI-SYNTHELABO	Partial
		JP	2003-523354	A	08-05-2003	SANOFI-SYNTHELABO	Partial
		WO	03/008407	A2	01-30-2003	SANOFI-SYNTHELABO	Abstract
		WO	2004/009585	A2	01-29-2004	SANOFI-SYNTHELABO	Abstract

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.